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INTERGOVERNMENTAL NEGOTIATING COMMITTEE
FOR A FRAMEWORK CONVENTION ON CLIMATE CHANGE
Tenth session
Geneva, 22 August - 2 September 1994
Item 1 of the provisional agenda

PROVISIONAL AGENDA AND ANNOTATIONS, INCLUDING SUGGESTIONS FOR THE ORGANIZATION OF WORK

Note by the Executive Secretary

I. PROVISIONAL AGENDA

1. The provisional agenda for the tenth session of the Committee, proposed after consultation with the Chairman and the Bureau, is as follows:

1. Organizational matters (Plenary):

   (a) Adoption of the agenda;
   (b) Organization of work;
   (c) Election of officers;
   (d) Arrangements for the eleventh session of the Committee.*

2. Status of ratification of the Convention (Plenary).

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* Items appearing for the first time.

3. Matters relating to commitments (Working Group I):

   (a) First review of information communicated by each Party included in Annex I to the Convention;
   (b) Review of the adequacy of commitments in Article 4, para. 2 (a) and (b);
   (c) Criteria for joint implementation;
   (d) Report on implementation;*
   (e) The roles of the subsidiary bodies established by the Convention.

4. Matters relating to arrangements for the financial mechanism and for technical and financial support to developing country Parties (Working Group II):

   (a) Implementation of Article 11 (Financial mechanism), paras. 1-4;
   (b) Consideration of the maintenance of the interim arrangements referred to in Article 21, para. 3;
   (c) Provision to developing country Parties of technical and financial support.

5. Procedural and legal matters (Plenary):

   (a) Rules of procedure of the Conference of the Parties and of the subsidiary bodies established by the Convention;
   (b) Consideration of the establishment of a multilateral consultative process for the resolution of questions regarding implementation (Article 13).*

6. Institutional matters (Plenary):

   (a) Designation of a permanent secretariat and arrangements for its functioning (Plenary);
   (b) Financial rules of the Conference of the Parties and of the subsidiary bodies established by the Convention.*

7. Review of the activities of the interim secretariat, including review of extrabudgetary funds (Plenary).

8. Arrangements for the first session of the Conference of the Parties, including agenda and organization of work (Plenary).*

9. Adoption of the report of the Committee.

II. ANNOTATIONS TO THE PROVISIONAL AGENDA, INCLUDING SUGGESTIONS FOR THE ORGANIZATION OF WORK

2. By its resolution 47/195 of 22 December 1992, paragraphs 6 and 7, the General Assembly decided "that the Intergovernmental Negotiating Committee shall continue to function in order to prepare for the first session of the Conference of the Parties to the Convention, as specified in the Convention, and, in that context, to contribute to the effective operation of the interim arrangements set out in Article 21 of the Convention"; invited the Committee "to implement expeditiously the plan of preparatory work drawn up at its sixth session"; and requested the Secretary-General "to make arrangements within the overall calendar of conferences for the Committee to hold sessions, in accordance with the needs of that plan". The scheduling of the tenth session was confirmed by the Committee at its ninth session (A/AC.237/55, para. 130).

3. Accordingly, arrangements have been made for the tenth session to be held at the Palais des Nations, Geneva, from 22 August to 2 September 1994. The session will be opened by the Chairman of the Committee at 10 a.m. on 22 August 1994, in Conference Room XIX.

1. Organizational matters (Plenary)

(a) Adoption of the agenda

4. The provisional agenda for the tenth session of the Committee is presented for adoption. It contains a number of items appearing for the first time. These include the remaining tasks in the work plan of the Committee as adopted at its sixth session, namely, the financial rules of the Conference of the Parties (COP) and of the subsidiary bodies established by the Convention (task C.1) and the consideration of the establishment of a multilateral consultative process for the resolution of questions regarding implementation (task C.3) (see A/AC.237/24, para. 44). In addition, and in accordance with requests from the Committee at its ninth session, the arrangements for the eleventh session will also be considered, as will those for the first session of the Conference of the Parties (COP 1).

5. A list of documents relating to the provisional agenda, as well as other documents available at the session, is contained in annex I.

6. It will be noted from the annotations below and from the relevant documentation that it is proposed that the Committee complete its consideration of certain agenda items at the tenth session by adopting final recommendations thereon to COP 1. These items are: item 5 (a) Rules of procedure of the Conference of the Parties and of the subsidiary bodies established by the Convention; and item 5 (b) Consideration of the establishment of a multilateral consultative process for the resolution of questions regarding implementation.

7. In addition, item 1 (d) Arrangements for the eleventh session of the Committee, must, by its nature, be completed at the tenth session.

8. Depending on the course of the deliberations at the tenth session, it may also be possible for the Committee to adopt a final recommendation to COP 1 on item 3 (d) Report on implementation, and to adopt a comprehensive but provisional recommendation to COP 1 on item 3 (c) The roles of the subsidiary bodies established by the Convention. Such a provisional recommendation would be subject to review and possible modification by the Committee at its eleventh session.

(b) Organization of work

(i) Participation

9. In paragraph 2 of its resolution 45/212 of 21 December 1990, the General Assembly decided that "the Intergovernmental Negotiating Committee should be open to all States Members of the United Nations or members of the specialized agencies, with the participation of observers in accordance with the established practice of the General Assembly." In paragraph 19 of the same resolution, the General Assembly invited "relevant non-governmental organizations to make contributions to the negotiating process, as appropriate".

10. In pursuance of the above, notification of the date and place of the session has been communicated to the permanent missions of all participating States in Geneva and New York, as well as to observers.

(ii) Schedule of meetings

11. The scheduling of meetings for the session will be based on the availability of facilities during normal working hours, when services are available for two concurrent meetings with interpretation from 10 a.m. - 1 p.m. and 3 p.m. - 6 p.m. There will also be some facilities for informal meetings without interpretation. Delegations are urged to use these services fully by starting all meetings promptly at the scheduled time. A tentative schedule of meetings, proposed in consultation with the Chairman and the Officers of the Working Groups, is attached as annex II.

(iii) Allocation of tasks

12. Following consultation with the Chairman and the Bureau, it is proposed that "procedural and legal matters" and "institutional matters", hitherto covered under one item and dealt with in Working Group II, be considered as two separate items and assigned to Plenary. In accordance with this proposal, the Working Groups would deal, respectively, with provisional agenda item 3 (Working Group I) and item 4 (Working Group II). All other items, including the new items on the arrangements for COP 1 would be taken up in Plenary.

(iv) Adoption of recommendations and conclusions

13. It would help to ensure that final documents are available in all languages if Plenary and both Working Groups adopt all recommendations to COP 1 and other conclusions on Wednesday, 31 August, or at the latest by the end of the morning meeting on Thursday, 1 September.

(v) Statements at the opening meeting (22 August, 10 a.m.)

14. The Chairman and the Executive Secretary will make opening remarks.

15. The Chairman of the WMO/UNEP Intergovernmental Panel on Climate Change (IPCC) and the Chief Executive Officer/Chairperson (CEO) of the Global Environment Facility (GEF) will be invited to address the opening meeting and to be available subsequently to participate in Working Groups I and II, respectively, and answer questions. Information about statements at the opening by senior officials of the United Nations system will be communicated to the Committee in due course.

16. There will be no general debate. Item 2 will be introduced (see annotation in paras. 26-29, below).

17. If it is possible to conclude the plenary meeting in time, both Working Groups will meet before the lunch break for the purpose of organizing their work.

(c) Election of officers

18. Consequent upon the resignation of Mr. Ahmed Djoghlaf (Algeria), it will be necessary for the Committee to elect a new Vice-Chairman from the African Group of countries, in accordance with rule 4 of its rules of procedure (A/AC.237/5).

(d) Arrangements for the eleventh session of the Committee

19. At its ninth session, the Committee decided to carry out, on an interim basis, the most pressing tasks of the subsidiary bodies, and to allocate the tasks listed in Article 4.2(b), (c) and (d) of the Convention to the existing Working Groups. At that session, the Committee requested the interim secretariat to prepare documentation reviewing further the implications of the interim arrangements for consideration by the Committee at its tenth session (A/AC.237/55, annex I, decision 9/3, paras. 3-4 and 6). The Committee will have before it document A/AC.237/57 outlining a possible work plan and organizational arrangements for its eleventh session.

(i) Duration and date of the eleventh session

20. As requested by the Committee at its ninth session (A/AC.237/55, para. 131), the interim secretariat has consulted with the United Nations Office of Conference Services and has sought guidance from the Bureau on issues surrounding the scheduling of the eleventh session. It is the view of the interim secretariat that the workload of the eleventh session of the Committee, especially that of Working Group I, justifies the extension of the duration of that session, originally scheduled for 6 to 17 February 1995. The Bureau concurred with this assessment. On the advice of the Chairman, after consultation with the Bureau, the week of 30 January to 3 February has been reserved in the United Nations calendar of conferences, subject to confirmation by the Committee and subsequent approval by the General Assembly. If so decided, the eleventh session would take place from 30 January to 17 February 1995, at United Nations Headquarters, New York. This would correspond to the provision made in Committee decision 9/3, paragraph 5.

21. The interim secretariat has consulted with the Office of Conference Services on the possibility of adjusting working hours for the session. That Office has advised that a change in the meeting hours would cause a great deal of difficulty, particularly in the scheduling of interpreters who will be assigned to cover meetings of other intergovernmental bodies. While understanding the reasons for the proposed change, the Office regrets "that the disruption to the meetings programme in its totality would be unmanageable."

22. The Committee is invited to reach a decision on the duration and the date of the eleventh session, subject to approval by the General Assembly at its forty-ninth session.

(ii) Organization of work of the eleventh session

23. It is suggested that the tasks listed in Article 4.2(b), (c) and (d), in particular those of conducting a review of communications from Annex I Parties and a review of the adequacy of commitments, should be allocated to Working Group I, since these tasks relate directly to work heretofore undertaken by that working group.

(iii) Recommendations to COP 1

24. A suggestion is also made concerning the format for recommendations from the Committee to COP 1. The Committee may wish to request the interim secretariat to draft such recommendations for consideration at its eleventh session and perhaps even at the tenth session.

25. The Committee is invited to reach decisions on these matters at the present session so that appropriate arrangements may be made for the eleventh session.

2. Status of ratification of the Convention (Plenary)

26. On 21 December 1993, the fiftieth instrument of ratification, acceptance, approval or accession was received by the Depositary. In accordance with Article 23, the Convention thus entered into force on 21 March 1994.

27. A status report on the ratification of the Convention will be before the Committee for its information (A/AC.237/INF.15/Rev.1). Delegations are invited to inform the secretariat of their Governments' plans for ratification or accession. At past sessions, this item has given rise to statements in Plenary. It is suggested that the provision of such information in writing could be a time-saving alternative.

28. It should be noted that, in accordance with Article 23, States that wish to participate in COP 1 as Parties from the opening day (28 March 1995) should deposit their instruments of ratification or accession by 28 December 1994 at the latest. Instruments should be transmitted to the Secretary-General of the United Nations as Depositary of the Convention (Treaty Section, Room S-3200A, Office of Legal Affairs, United Nations Headquarters, New York).

29. On a related matter, in view of the fact that the Convention has now entered into force, there is no longer any need for presentations under paragraph 4 of General Assembly resolution 47/195, whereby the Assembly invited "signatories of the Convention to communicate to the head of the interim secretariat ... information regarding measures consistent with the provisions of the Convention, pending its entry into force". Delegations wishing to provide information on national activities are invited to do so, in writing, to the interim secretariat which will list such information in document A/AC.237/INF.12/Rev.1.

3. Matters relating to commitments (Working Group I)

30. Early in the session, participants in Working Group I will be able to put questions to the Chairman of the IPCC, in response to his statement to the opening plenary meeting on the progress of the work of the IPCC.

(a) First review of information communicated by each Party included in Annex I to the Convention

31. At its ninth session, the Committee decided that, at its eleventh session and on an interim basis, it would carry out the task of reviewing the first communications from Annex I Parties. It requested the interim secretariat to develop a plan and a budget for the first review for consideration and adoption at the tenth session and for immediate implementation thereafter. It further requested the interim secretariat to prepare documentation on work currently under way in relevant bodies relating to methodologies for aggregating national communications (A/AC.237/55, annex I, decision 9/3B).

32. The Committee will have before it document A/AC.237/63 which discusses the first review process and the aggregation of communications. Submissions received from Parties and other member States will also be before the Committee in document A/AC.237/Misc.36.

33. In addition, the Committee will have before it document A/AC.237/INF.16 which contains information on the status of submissions of first communications from Annex I Parties.

34. Also at its ninth session, the Committee noted that the work on national communications undertaken by the group of countries and the organization included in Annex I will continue, especially on the review process and on assistance to countries with economies in transition (A/AC.237/55, annex I, decision 9/2, para. 1 (a)). These countries and the organization in question may submit a report to the Committee as a contribution to its consideration of the process for the first review.

35. The Committee is invited to decide on the elements of the review process to be undertaken before and at the eleventh session, including tasks to be assigned to the interim secretariat. The Committee is further invited to make appropriate recommendations to COP 1 on any elements to be implemented at and after COP 1.

(b) Review of the adequacy of commitments in Article 4, para. 2 (a) and (b)

36. The Committee had a first discussion on this matter at its ninth session and agreed to continue the discussion at its tenth session, with a view to preparing recommendations for appropriate action to be taken by COP 1. In this context, the interim secretariat was requested to provide further documentation on a number of specific issues (A/AC.237/55, para. 59).

37. In response to this request, the Committee will have before it a note by the interim secretariat, containing: (a) a synthesis of interventions and submissions; (b) elements of a draft outline of a report by the Committee to COP 1 on the review of the adequacy of commitments; and (c) a schedule for the organization of the process for the review of adequacy, the inputs thereto and any follow-up, for the period between the tenth session and COP 1 (A/AC.237/65). A compilation of interventions and submissions on the subject that Parties and other member States have transmitted to the interim secretariat will also be before the Committee in document A/AC.237/Misc.36.

38. The Committee is invited to decide on the arrangements for the review of the adequacy of commitments to be undertaken at its eleventh session and on the preparatory work by the interim secretariat needed to support that review.

(c) Criteria for joint implementation

39. Having discussed this issue at its eighth and ninth sessions, the Committee agreed to continue discussions at its tenth session with a view to preparing the decisions to be taken by

COP 1. In this context, the Committee requested the interim secretariat to provide further documentation focusing on a possible phased approach to joint implementation (A/AC.237/55, para. 66).

40. The Committee will have before it a note by the interim secretariat including options for a phased approach, beginning with a pilot phase. This note addresses objectives, a list of possible criteria and institutional arrangements (A/AC.237/66). A compilation of submissions on this issue received from Parties and other member States will also be before the Committee in document A/AC.237/Misc.37.

41. The Committee may wish to focus its discussion of this item at the present session on possible objectives, criteria and arrangements for a pilot phase on joint implementation and, if possible, to reach conclusions on this matter, as a basis for its recommendations to COP 1.

(d) Report on implementation

42. The Committee, at its eighth session, requested the interim secretariat to provide considerations on the format and content of the report of the COP on implementation, including the financial and human resource implications of secretariat support (A/AC.237/41, para. 65).

43. The Committee will have before it document A/AC.237/48 (prepared for the ninth session but not considered then owing to lack of time), and an addendum which reflects some additional considerations.

44. The Committee is invited to make appropriate decisions and recommendations regarding the nature, preparation and timing of the first report on implementation.

(e) The roles of the subsidiary bodies established by the Convention

45. At its ninth session, the Committee adopted decision 9/3 on the roles of the subsidiary bodies established by the Convention and decided to revisit the functions, roles and terms of reference of the subsidiary bodies at its tenth session in order to make final recommendations to COP 1. It therefore requested the interim secretariat to prepare documentation, including proposals on any changes to be made in the allocation of the functions of the subsidiary bodies, the technical, analytical and financial support to enable these bodies to discharge their functions effectively, and the scheduling and periodicity of their meetings (A/AC.237/55, annex I, decision 9/3, para. 2).

46. The Committee will have before it document A/AC.237/64 discussing elements of a draft recommendation to COP 1 concerning the roles of the subsidiary bodies established by the Convention.

47. The Committee is invited to adopt, on a provisional basis, a comprehensive recommendation to COP 1. The Committee would then review and, if necessary, modify the recommendation further at its eleventh session, in the light of the conclusions of that session on other related subjects.

4. Matters relating to arrangements for the financial mechanism and for technical and financial support to developing country Parties (Working Group II)

48. Early in the session, participants in Working Group II will be able to put questions to the Chief Executive Officer/Chairperson (CEO) of the GEF, following his statement to the opening plenary meeting on the progress of the work of the GEF.

49. General background for the Committee's deliberations on these two sub-items is provided in two documents that will be before the Committee:

- Submissions from Parties or other member States on the specific near-term priorities and needs of developing countries, adaptation and issues related to the financial mechanism (A/AC.237/Misc.38)

- Issues to be addressed by the Committee: a preliminary overview. Note by the interim secretariat (A/AC.237/67)

50. On each of the issues to be considered by the Committee, the above-mentioned note by the secretariat recapitulates conclusions already reached by the Committee and provides indications of information collected, proposals made or reports submitted. Regarding new issues, the note, inter alia, recalls the relevant provisions of the Convention. This note may be used as a general guide to the discussion on these sub-items at the tenth session, in lieu of the usual annotations.

4 (a) Implementation of Article 11 (Financial mechanism), paras. 1-4;

51. The specific topics related to this sub-item that are identified in the said secretariat note are listed below. For each topic, relevant documents by the interim secretariat, in addition to the two mentioned above, are also listed.

A. Guidance from the Conference of the Parties to the operating entity or entities

1 Eligibility criteria

(a) Eligibility criteria for countries

(b) Eligibility criteria for activities

Synthesis report on adaptation (A/AC.237/68)

2 Programme priorities

Report on near-term priorities and needs of developing countries (A/AC.237/69)

Summary of the "Guidelines for the preparation of first communications by Annex I Parties" (annex to Committee decision 9/2) (A/AC.237/70)

3 Policies

Report on seeking and maintaining consistency between activities undertaken outside the framework of the financial mechanism and guidance from the Conference of the Parties (A/AC.237/71)

Report on a permanent and feasible monitoring system and on the activities of regional and multilateral financial and other institutions relevant to climate change (A/AC.237/72)

4 Agreed full incremental costs

Report on agreed full incremental costs (A/AC.237/73)

B. Modalities for the functioning of operational linkages between the Conference of the Parties and the operating entity or entities

1 Reporting, accountability and reconsideration of funding decisions

2 Determination of the amount of funding necessary and available for the implementation of the Convention

Elements relevant to the assessment of funding needs (A/AC.237/37/Add.4, issued at the eighth session)

3. Process for agreeing on arrangements between the Conference of the Parties and the operating entity or entities (including arrangements for reciprocal representation at meetings)

Modalities for the functioning of operational linkages between the Conference of the Parties and the operating entity or entities of the financial mechanism: legal opinion of the United Nations Office of Legal Affairs (A/AC.237/74)

C. Temporary arrangements between the Committee and the Global Environment Facility

52. After considering the various topics under this sub-item in the light of the relevant documentation, the Committee may wish to:

(a) Advance its consensus on matters on which the COP is required to provide guidance to the entity or entities operating the financial mechanism, such as eligibility criteria, programme priorities, policies and the determination of "agreed full incremental costs";

(b) Advance its consensus on matters relating to operational linkages between the COP and the operating entity or entities;

(c) Adopt a decision that consolidates and formally communicates to the GEF Council the conclusions of the Committee on the above subjects, adopted at its tenth and previous sessions, which are relevant to the function of the GEF as the interim operating entity of the financial mechanism, and that invites the GEF Council to make a report, for consideration by COP 1, consistent with the conclusions of the Committee on the subject of such reporting and the relevant provisions of the "Instrument for the establishment of the restructured Global Environment Facility" (hereinafter, referred to as the "GEF Instrument");

(d) Indicate to the interim secretariat any further technical, analytical and legal inputs that the Committee may need at its eleventh session to support its work on matters relating to the financial mechanism, as well as any contribution that the interim secretariat, in collaboration with the GEF secretariat, might make to work on that component of the long-term operational strategy of the GEF that is related to the implementation of the Convention;

(e) Request the interim secretariat to draw up a draft recommendation from the Committee to COP 1 on matters related to the financial mechanism, for consideration by the Committee at its eleventh session, according to the procedure that may be decided by the Committee at its tenth session after considering document A/AC.237/57.

4 (b) Consideration of the maintenance of the interim arrangements referred to in Article 21, para. 3

53. Article 21.3 provides that "the Global Environment Facility of the United Nations Development Programme, the United Nations Environment Programme and the International Bank for Reconstruction and Development shall be the international entity entrusted with the operation of the financial mechanism referred to in Article 11 on an interim basis. In this connection, the Global Environment Facility should be appropriately restructured and its membership made universal to enable it to fulfil the requirements of Article 11."

54. Article 11.4 provides that the COP shall make arrangements to implement provisions regarding the financial mechanism at its first session, reviewing and taking into account the interim arrangements referred to in Article 21.3, and shall decide whether these interim arrangements shall be maintained. Within four years thereafter, the COP shall review the financial mechanism and take appropriate measures.

55. The Committee may wish to lay the ground for the review by the COP at its first session of the interim arrangements referred to in Article 21.3, taking into account the "Instrument for the establishment of the restructured Global Environment Facility", and any other information that may be provided to the Committee at its current session.

4 (c) Provision to developing country Parties of technical and financial support

56. This item has hitherto comprised two components: the joint project with the United Nations Environment Programme (UNEP) for an information exchange system in support of country activities on climate change, and the joint training programme with the United Nations Institute for Training and Research (UNITAR) to promote the implementation of the Convention. This time, a third element which spans the other two has been added, relating to a cooperative programme of future activities related to technical cooperation. The three elements are presented together in one document (A/AC.237/75).

(a) Climate Change Information Exchange Programme (CC:INFO) (joint activity of the interim secretariat and the United Nations Environment Programme)

57. The Committee at its ninth session took note of the information provided in document A/AC.237/51, invited the interim secretariat and UNEP to continue their joint activities on this project, and requested that they prepare a substantive report to the Committee for its tenth session, as well as a proposal for activities which could follow the present pilot phase (A/AC.237/55, para. 99).

58. Following the ninth session of the Committee, UNEP approved the project document providing for its financial contribution to this project. A progress report has been prepared by the interim secretariat and UNEP for the consideration of the Committee (see A/AC.237/75, section II). The contents of the information base will also be made available to delegations during the present session as a separate information package (in English only).

(b) Training programme to promote the implementation of the Convention (CC:TRAIN) (joint activity of the interim secretariat and the United Nations Institute for Training and Research)

59. The Committee at its ninth session took note of the information provided in document A/AC.237/52, invited the interim secretariat and UNITAR to continue their activities on this programme, and requested that they prepare a further progress report to the Committee for its tenth session, together with proposals for the expansion of the programme beyond the pilot phase (A/AC.237/55, para. 104).

60. Since the ninth session of the Committee, activities have been organized in each of the three pilot countries (Lithuania, Vietnam and Zimbabwe), including the first national workshops and training seminars for country teams, and plans have been developed for following up the pilot phase. A progress report has been prepared by the interim secretariat and UNITAR for consideration by the Committee (see A/AC.237/75, section III).

(c) Future activities on technical cooperation: Climate Convention Cooperation Programme (CC:COPE)

61. The interim secretariat has been holding discussions with key partners, including UNEP, the United Nations Development Programme (UNDP) and UNITAR, with the objective of establishing a common framework and approach for technical cooperation activities in support of the implementation of the Convention, including those mentioned above. Document A/AC.237/75, section IV, presents some initial information on how these partners are developing such a framework, in the form of a cooperative programme. Such an approach, which would involve funding from the GEF, among other sources, would focus on the provision of support to capacity building and other enabling activities related to the Convention, already identified as a priority by the Committee (A/AC.237/55, para. 80). The Committee may wish to endorse this initiative.

62. A lunch-time seminar will be organized during the session to provide interested delegations with more detailed information on progress achieved so far in these technical cooperation activities, and on plans for the future.

5. Procedural and legal matters (Plenary)

(a) Rules of procedure of the Conference of the Parties and of the subsidiary bodies established by the Convention

63. The Committee is to continue its consideration of the draft rules of procedure of the COP and of its subsidiary bodies. The procedure for dealing with the item is the subject of a recommendation by the Bureau (see A/AC.237/58). It is proposed therein that this item be remitted to Plenary for its consideration, with document A/AC.237/WG.II/L.8 as a basis. Should further consultations be necessary, the Chairman would propose appropriate arrangements to the Committee. The Bureau also recommends that the Committee should aim to agree, at its tenth session, on a final draft of the rules of procedure to be recommended to the COP for adoption at its first session. The Committee would thus complete its work on this item.

(b) Consideration of the establishment of a multilateral consultative process for the resolution of questions regarding implementation

64. The Committee will have before it document A/AC.237/59 on the consideration of the establishment of a multilateral consultative process for the resolution of questions regarding implementation (Article 13). It is suggested that the Committee undertake a brief general discussion on this item, after which the Committee could make a procedural recommendation to defer action to COP 1. The Committee would thus complete its work on this item.

6. Institutional matters (Plenary)

(a) Designation of a permanent secretariat and arrangements for its functioning

(b) Financial rules of the Conference of the Parties and of the subsidiary bodies established by the Convention

65. The Committee, having reviewed the institutional options for the permanent secretariat outlined in document A/AC.237/53 at its ninth session, decided to examine all those options further at its tenth session. It requested the interim secretariat to provide additional information on the institutional aspects of this question, in particular with regard to the possibility of negotiating an arrangement to place the permanent secretariat, at least initially, within a host organization. In this connection, the interim secretariat has explored possible arrangements with the United Nations Secretariat, UNEP and UNDP, including relevant financial, administrative and staffing provisions, as requested by the Committee (A/AC.237/55, para. 120). Further information has also been obtained on the offer of accommodation from WMO in the light of decisions taken at the recent Executive Council of the World Meteorological Organization (WMO).

66. The Committee will have before it a note by the Executive Secretary (A/AC.237/60) which contains information on these matters as well as on the financial rules of the COP and of the subsidiary bodies established by the Convention. The note aims to stimulate discussion by the Committee, leading to further conclusions and recommendations.

67. It will be recalled that at its ninth session the Committee also took note with great satisfaction of the offer of Uruguay to host the permanent secretariat and that of Switzerland to provide facilities to the permanent secretariat and to co-locate it with other secretariats. The Committee decided to consider the physical location of the permanent secretariat in the light of its further review of possible institutional arrangements (A/AC.237/55, para. 121).

7. Review of the activities of the interim secretariat, including review of extrabudgetary funds

68. The Executive Secretary will present, as usual, a report containing information on the activities of the interim secretariat, on administrative and budgetary questions and on the status of extrabudgetary funds (A/AC.237/61). He will supplement this information orally at the session. The report will include a revised funding plan for 1994-1995 setting out the needs for extrabudgetary funding for the interim secretariat. It will also contain a report on the information system being set up within the interim secretariat.

69. The Committee is invited to comment on the various questions raised in the note and give its support to the efforts of the interim secretariat to mobilize the funding required.

8. Arrangements for the first session of the Conference of the Parties, including agenda and organization of work

70. At its ninth session, the Committee was informed that the General Assembly, in its resolution 48/189 of 21 December 1993, had welcomed the invitation of Germany to host COP 1 in Berlin and had agreed that the session should be held there from 28 March to 7 April 1995, subject to the applicable provisions of the Convention.

71. Recognizing that Article 7.4 of the Convention provides that the first session of the COP "shall take place not later than one year after the date of entry into force of the Convention", it was agreed that the Executive Secretary would write to Parties requesting their consent to the session being convened on the above dates, that is, one week later than stipulated in Article 7.4 (A/AC.237/55, para. 133). Subsequently, the Executive Secretary obtained the consent of those States that were Parties on the date of entry into force of the Convention (21 March 1994) to holding the session on the above-mentioned dates.

72. The Committee will have before it document A/AC.237/62 containing information on preparations being made by and with the Government of Germany, a list of possible elements for a provisional agenda for the session, and suggestions concerning organizational aspects of the session.

73. The Committee is invited to make recommendations on arrangements for COP 1 that will help the host Government, participating delegations and the interim secretariat to advance their preparations for the Conference.

9. Adoption of the report of the Committee

74. A draft report on the work of the session will be prepared for consideration by the Committee at the end of the session, in accordance with established practice. The Committee is invited to authorize the Rapporteur to complete the final report after the session, with the assistance of the interim secretariat and under the guidance of the Chairman.

Annex I

LIST OF DOCUMENTS FOR THE TENTH SESSION OF THE COMMITTEE

Documents prepared for the session by the interim secretariat

A/AC.237/48 and Add.1	The report on implementation
A/AC.237/56	Provisional agenda and annotations, including suggestions for the organization of work. Note by the Executive Secretary
A/AC.237/57 (and Corr.1 in English only)	Arrangements for the eleventh session of the Committee
A/AC.237/58	Rules of procedure of the Conference of the Parties and of the subsidiary bodies established by the Convention
A/AC.237/59	Consideration of the establishment of a multilateral consultative process for the resolution of questions regarding implementation (Article 13)
A/AC.237/60	Designation of a permanent secretariat and arrangements for its functioning. Note by the Executive Secretary
A/AC.237/61	Review of the activities of the interim secretariat, including review of extrabudgetary funds. Note by the Executive Secretary
A/AC.237/62	Arrangements for the first session of the Conference of the Parties, including agenda and organization of work
A/AC.237/63	The process for the first review of communications from Annex I Parties
A/AC.237/64	The roles of the subsidiary bodies established by the Convention
A/AC.237/65	Review of the adequacy of commitments in Article 4.2(a) and (b)
A/AC.237/66	Joint implementation: objectives, criteria and arrangements for a pilot phase
A/AC.237/67	[Financial mechanism] issues to be addressed by the Committee: a preliminary overview

A/AC.237/68	Synthesis report on adaptation
A/AC.237/69	Report on near-term priorities and needs of developing countries
A/AC.237/70	Summary of the "Guidelines for the preparation of first communications by Annex I Parties" (annex to Committee decision 9/2)
A/AC.237/71	Report on seeking and maintaining consistency between activities undertaken outside the framework of the financial mechanism and guidance from the Conference of the Parties
A/AC.237/72	Report on a permanent and feasible monitoring system and on the activities of regional and multilateral financial and other institutions relevant to climate change
A/AC.237/73	Report on agreed full incremental costs
A/AC.237/74	Modalities for the functioning of operational linkages between the Conference of the Parties and the operating entity or entities of the financial mechanism: legal opinion of the United Nations Office of Legal Affairs
A/AC.237/75	Climate Convention Cooperation Programme
A/AC.237/Misc.36	Comments from Parties or other member States on the first review of information communicated by each Party included in Annex I to the Convention and on the review of the adequacy of commitments in Article 4.2(a) and (b)
A/AC.237/Misc.37	Comments from Parties or other member States on criteria for joint implementation
A/AC.237/Misc.38	Miscellaneous proposals by Governments on issues related to the financial mechanism
A/AC.237/INF.12/Rev.1	Communications received in accordance with General Assembly resolution 47/195, paragraph 4
A/AC.237/INF.15/Rev.1	Status of ratification of the United Nations Framework Convention on Climate Change
A/AC.237/INF.16	Status of submissions of first communications from Annex I Parties

Other documents for the session

A/AC.237/18 (Part II)/ Add.1 and Corr.1	United Nations Framework Convention on Climate Change*
A/AC.237/55	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of its ninth session, held at Geneva from 7 to 18 February 1994
A/AC/C.237/WG.II/L.8	Rules of procedure of the Conference of the Parties. Note by the Coordinator of the "informal ad hoc and open-ended group of delegations constituting the 'friends of the Co-Chairs of Working Group II'"

Other documents available at the session for reference purposes

A/AC.237/5	Rules of procedure of the Committee
A/AC.237/6 and Corr.1	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of its first session, held at Washington, D.C., from 4 to 14 February 1991
A/AC.237/9	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of its second session, held at Geneva from 19 to 28 June 1991
A/AC.237/12 and Corr. 1	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of its third session, held at Nairobi from 9 to 20 September 1991
A/AC.237/15 and Corr. 1	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of its fourth session, held at Geneva from 9 to 20 December 1991

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* See also rectified text of the Convention available in English, French and Spanish, published on behalf of the interim secretariat by the WMO/UNEP Information Unit on Climate Change (IUCC).

A/AC.237/18 (Part I)	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of the first part of its fifth session, held at New York from 18 to 28 February 1992
A/AC.237/18 (Part II)	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of the second part of its fifth session, held at New York from 30 April to 9 May 1992
A/AC.237/24 (and Corr.1 in English only)	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of its sixth session, held at Geneva from 7 to 10 December 1992
A/AC.237/37/Add.4	Implementation of Article 11 (Financial mechanism), paras. 1-4. Elements relevant to the assessment of funding needs. Note by the interim secretariat
A/AC.237/46	The roles of the subsidiary bodies established by the Convention. Note by the interim secretariat
A/AC.237/47	Review of the adequacy of commitments in Article 4.2(a) and (b). Note by the interim secretariat
A/AC.237/49	Criteria for joint implementation. Note by the interim secretariat

General Assembly resolutions

45/212	Protection of global climate for present and future generations of mankind (21 December 1990)
46/169	Protection of global climate for present and future generations of mankind (19 December 1991)
47/195	Protection of global climate for present and future generations of mankind (22 December 1992)
48/189	Protection of global climate for present and future generations of mankind (21 December 1993)

Annex II

TENTATIVE SCHEDULE OF WORK FOR THE TENTH SESSION OF THE COMMITTEE

DATE	PLENARY	WORKING GROUP I	WORKING GROUP II
Monday, 22 August			
a.m.	Item 1: Organizational matters (a) Adoption of agenda (b) Organization of work (c) Election of officers Statements: Chairman Executive Secretary Chairman, IPCC CEO, GEF [Other statements by senior officials] Item 2: Status of ratification	Following Plenary: Organization of work	Following Plenary: Organization of work
p.m.	•••	Item 3 (a) and (b): Questions to Chairman of IPCC Item 3 (a): First review of information communication by each Party included in Annex I to the Convention	Item 4 (a) and (b): Questions to CEO, GEF Item 4 (a): Guidance on eligibility criteria, programme priorities and policies
Tuesday, 23 August			
a.m.	•••	Item 3 (a): First review of information communicated by each Party included in Annex I to the Convention	Item 4 (a): Guidance on eligibility criteria, programme priorities and policies
p.m.	•••	Item 3 (b): Review of the adequacy of commitments in Article 4 2 (a) and (b)	Item 4 (a): Guidance on eligibility criteria, programme priorities and policies

DATE	PLENARY	WORKING GROUP I	WORKING GROUP II
Wednesday, 24 August a.m.	Item 5 (a): Rules of procedure Item 5 (b): Resolution of questions regarding implementation (Article 13)	Item 3 (b): Review of the adequacy of commitments in Article 4.2 (a) and (b)	...
p.m.	...	Item 3 (c): Criteria for joint implementation	Item 4 (a): Guidance on agreed full incremental costs
Thursday, 25 August a.m.	...	Item 3 (c): Criteria for joint implementation	Item 4 (a): Modalities for the functioning of operational linkages
p.m.	...	Item 3 (e): The roles of the subsidiary bodies established by the Convention	Item 4 (a): Modalities for the functioning of operational linkages
Friday, 26 August a.m.	Item 7: Review of activities of the interim secretariat Item 6 (a): Designation of the permanent secretariat Item 6 (b): Financial rules	Item 3 (e): The roles of the subsidiary bodies established by the Convention	...
p.m.	(continued)	...	Item 4 (a): Modalities for the functioning of operational linkages

DATE	PLENARY	WORKING GROUP I	WORKING GROUP II
Monday, 29 August			
a.m.	Review of progress in the session Item 1 (d): Arrangements for INC XI Item 8: Arrangements for COP 1	•••	Item 4 (b): Modalities for the functioning of operational linkages
p.m.	•••	Item 3 (d): Report on implementation	Item 4 (b): Maintenance of the interim arrangements
Tuesday, 30 August			
a.m.	•••	Informal consultations	Item 4 (b): Maintenance of the interim arrangements
p.m	•••	Informal consultations	Item 4 (c): Provision to developing country Parties of technical and financial support
Wednesday, 31 August			
a.m.	•••	Informal consultations; adoption of recommendations/conclusions	Informal consultations; adoption of recommendations/conclusions
p.m.	Adoption of recommendations and conclusions on legal and institutional items (items 5 and 6)	(continued)	(continued)
Thursday, 1 September			
a.m.	•••	Adoption of recommendations/conclusions	Adoption of recommendations/conclusions
p.m.	•••	•••	•••
Friday, 2 September			
a.m.	•••	•••	•••
p.m.	Oral reports from Co-Chairmen of Working Groups Item 9: Adoption of the report of the Committee	•••	•••